

In re Appln. of Hardee, et al.
Application No. 09/993,603

REMARKS

Reconsideration of the application is respectfully requested. An Office action dated January 23, 2006 is presently pending in the application.

The Information Disclosure Statement

In the Office action, the Declaration of Timothy Holub filed on November 7, 2005 was acknowledged and was stated as having been considered by the Examiner. The Office action states that the Declaration is "improperly listed in the IDS." However, the Declaration was not submitted as a 37 C.F.R. 1.31 Declaration but instead was submitted as a signed affidavit of public use or sale. However, since the document has been acknowledged and has been considered by the Examiner, applicants will not resubmit the document.

The Claims Indicated as Allowable

Claims 51-54 are allowed. Claims 65 and 73 were rejected as being dependent upon a rejected base claim but indicated as allowable if rewritten in independent form. The substance of these claims has been incorporated into Claims 50 and 69, respectively. In addition, Claims 66 and 74, which were indicated as allowable, have been amended to be dependent from these claims.

The remaining claims are dependent upon the claims these claims. Applicant therefore submits that all claims are now allowable for at least the reason that they are dependant upon an allowable base claim. The cancelled claims will be pursued in a continuation application.

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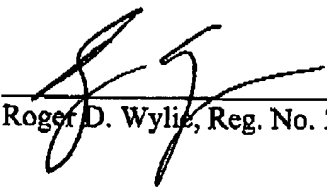
CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims define patentable subject matter, and that the application is in good and proper condition for allowance. Such action is respectfully solicited.

If the foregoing does not result in a Notice of Allowance in the application, Applicants earnestly solicit the Examiner to call the undersigned at 206-521-5984.

Respectfully submitted,

Date: March 8, 2006



Roger D. Wylie, Reg. No. 36,974

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